

Attorney Docket No.: BTI2 00103501(USP2)US

PATENT

### DECLARATION AND POWER OF ATTORNEY

As below named Inventors, we Brigitte Chau Phan and Jorma Antero Virtanen, hereby declare that:

Our residence, post office address, and citizenship are as stated below next to our name.

We believe we are the original, first, and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: DUAL BEAD ASSAYS INCLUDING COVALENT LINKAGES FOR IMPROVE SPECIFICITY AND RELATED OPTICAL ANALYSIS DISCS, the application for which is attached hereto.

We hereby state that we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information that is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec.1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed. Prior Foreign Applications: NONE.

We hereby declare the benefit under Title 35, United States Code, Sec. 119(e) of any United States provisional application listed below:

60/259,806	filed January 4, 2001
60/271,922	filed February 27, 2001

We hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112. We acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application. Prior United States Applications: NONE.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

EXPRESS MAIL LABEL NO.

DATE OF DEPOSIT

EL53870286305

Jan. 4, 2002

Attorney Docket No.: BTI2 00103501(USP2)US

PATENT

POWER OF ATTORNEY: As named joint inventors, we hereby appoint Donald Bollella, Reg. No. 35,451, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith and with the resulting patent.

Address all correspondence to:

Donald Bollella, Esq.  
Chief Patent Counsel  
LEGAL DEPARTMENT  
Burstein Technologies, Inc.  
163 Technology Drive Suite 200  
Irvine, California 92618

Direct telephone calls to Donald Bollella at (949) 453-1800.

\*\*\*\*\*

Full name of First inventor: **Brigitte Chau Phan**

Signature: Brigitte Chau Phan

Date: 1/3/02

Residence: 15910 Meagher, Fountain Valley, CA 92708

Citizenship: U.S.

Post Office Address: Same as residence address

\*\*\*\*\*

Full name of Second inventor: **Jorma Antero Virtanen**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 19211 Edgehill, Irvine, CA 92612

Citizenship: Finland

Post Office Address: Same as residence address

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DATE OF DEPOSIT Jan. 4, 2002

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:  
Phan et al.

Serial No.: To be assigned

Filed: Concurrently herewith

For: DUAL BEAD ASSAYS INCLUDING  
COVALENT LINKAGES FOR  
IMPROVE SPECIFICITY AND  
RELATED OPTICAL ANALYSIS  
DISCS

§ Art Unit: N/A  
§  
§ Examiner: N/A  
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§ Attorney Docket No.  
§ BTI2 00103501(USP2)US  
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Commissioner of Patents  
Washington, D. C. 20231

Sir:

## ASSOCIATE POWER OF ATTORNEY

Please recognize Michael A. Diener, Registration No. 37,122, of HALE & DORR, 60 State Street, Boston, MA 02109 as associate attorney in the further prosecution of the above-identified application.

Please address all future correspondence to:

Michael A. Diener, Esq.  
HALE & DORR  
60 State Street  
Boston, MA 02109

Direct all telephone calls to Michael A. Diener at (617) 526-6000.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 50-1781. A duplicate of this sheet is enclosed.

Respectfully submitted,

Date: Jan 3, 2002

Donald Bollella  
Registration No. 35,451

BURSTEIN TECHNOLOGIES, INC.  
LEGAL DEPARTMENT  
163 Technology Drive, Suite 200  
Irvine, California 92618  
Telephone: (949) 453-1800

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